

## **REMARKS**

The Office Action dated 21 March 2008 has been fully considered by the Applicant.

Claims 1 and 11 are currently amended. Claims 2, and 5-10 and 12 have been previously presented. Claims 3 and 4 have been canceled.

Claims 1 and 11 have been objected to because of informalities. Claims 1 and 11 have been currently amended to correct such informalities.

Claims 1, 2 and 5-12 rejected under 35 USC §103(a) as being unpatentable over United States Patent No. 6,445,738 to Zdepski et al in view of United States Patent No. 5,899,582 to DuLac are herein traversed.

Currently amended independent claim 1 has been amended to include the limitations of currently canceled dependent claim 3.

Currently amended independent claim 1 now clarifies that the altered format for the video data is fast cue or fast forward, sometimes known as a trick mode. The buffer size is changed on engaging this trick mode. In addition, the required buffer memory size is changed for this trick mode to a level which substantially accommodates no more data than that required to generate a single I frame, rather than a level of data corresponding to an I frame directly. Currently amended claim 1 has been amended to overcome the Examiner's claim objection at point 2 on page 2 with respect to tolerance data.

Examiner Shang acknowledges on page 4 of the Office Action that the '738 Zdepski patent is silent with respect to setting the required buffer size when engaging the trick mode. However, although the '582 DuLac patent mentions a buffer size range (Col. 4, line 12-17), there is no disclosure of the buffer size changing when switching from normal playback to trick mode. Indeed, the buffers described in the DuLac

patent appear to be static in nature. Large or small buffers could be provided from a range, but the specific size chosen depends on the display controller. A more advanced controller would be able to buffer more data so a large buffer could be used, having effect throughout the use of the system. This actually teaches away from the Applicant's invention wherein when a fast cue, fast forward or trick mode is engaged, the buffer size is changed from a high level to a low level (corresponding to data for a single I frame). As such, there is no disclosure in the cited documents of changing the buffer size when selecting an altered format of fast cue or fast review, and the claims are novel and inventive accordingly.

In summary, the combination of Zdepski and DuLac taken together, do not disclose the limitations of claim 1. The Applicant believes that currently amended independent claim 1 is patentable over the cited references and therefore respectfully requests reconsideration of the rejection.

Claims 2 and 5-10 are dependent on claim 1 and are believed to be allowable for all of the same reasons.

Independent claim 11 has been currently amended to include a method of generating a video display in a first standard motion picture expert group format and a second user selectable fast forward or fast cue format, said method comprising the steps of: (a) upon user selection of the fast forward or fast cue format, obtaining a value indicative of the separation of received encoded frames in a video data bitstream; (b) using said value as a replacement value to indicate a required level of data to be held in a buffer memory device prior to the commencement of the decoding; (c) displaying of the first frame of data for the fast forward or fast cue display ; and (d) wherein said required level of data is substantially no more than that required to generate the single largest frame in said video data bitstream.

As set forth above with respect to claim 1, these features are not taught or suggested in the '738

Zdepski et al patent or in the '582 DuLac patent. Therefore, Applicant believes that currently amended claim 11, along with dependent claim 12, is patentable over the cited references and respectfully requests reconsideration of the rejection.

It is believed that the application is now in condition for allowance and such action is earnestly solicited. If any further issues remain, a telephone conference with the Examiner is requested. If any further fees are associated with this action, please charge Deposit Account No. 08-1500.

Respectfully Submitted

HEAD, JOHNSON & KACHIGIAN

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BY: 

Mark G. Kachigian, Reg. No. 32,840  
228 West 17th Place  
Tulsa, Oklahoma 74119  
(918) 587-2000  
Attorneys for Applicant